

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

May 29, 2001

**D035519        People v. Leyva**

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

**D037076        In re George D., a Juvenile**

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

**D036759        Maximo et al. v. Sohl et al.**

The petition is denied.

**D037980        Leal v. Superior Court of Imperial County/People**

The petition is denied.

**D035563        Harter v. City of National City**

The judgment is affirmed. The City is to recover its costs of appeal. McIntyre, J.;  
We Concur: Haller, Acting P.J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

May 30, 2001

**D037066        People v. Jones**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a).  
The appeal is dismissed.

**D035163        People v. Huntsberry**

The trial court did not err in denying the motion to suppress. The judgment is affirmed. Kremer, P.J.;  
We Concur: Huffman, J., Nares, J.

**D035510        People v. Lewis**

Judgment affirmed. Haller, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

**D037712        People v. Ortega**

Upon filing a written abandonment of appeal, the appeal is dismissed and the remittitur is ordered to issue  
immediately.

**D036007        In re Andrew R., a Juvenile**

The petition for rehearing is denied.

**D038001        Maximo et al. v. Superior Court of San Diego County/Petersen**

The petition is denied.

**D037175        In re Z. I., a Juvenile**

The order is affirmed. Haller, J.; We Concur: Benke, Acting P.J., McIntyre, J.

**D034981        People v. Sparks**

The petition for rehearing is denied.

**D037146        Legion for the Survival of Freedom, Inc. v. Carto et al.**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a).  
The appeal is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

May 31, 2001

**D037126      People v. Garrett**

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).

**D037269      Bowyer v. Sentinel Systems, Inc., et al.**

The punitive damages award against Sergo is reversed. The punitive damages award as to Katz is affirmed. With respect to compensatory damages, the trial court shall modify the judgment to add the concept of joint and several liability as follows: each defendant is jointly and severally liable for (1) \$115,000 on the wrongful termination in violation of public policy claim; and (2) \$353,000 on the breach of fiduciary duty claim. Defendants Sentinel and Helionetics are additionally jointly and severally liable for \$115,000 on the breach of implied contract claim. Defendant Sentinel is additionally liable for \$115,000 on the breach of the implied covenant of good faith and fair dealing claim. Helionetics is additionally liable for \$231.42 on the money owed claim. In all other respects, the judgment is affirmed. The parties to bear their own costs on appeal. Haller, J.; We Concur: Benke, Acting P.J., McIntyre, J.

**D037770      Christina S. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Terence O. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Terence O. is dismissed.

**D036206      People v. Peterson**

Judgment affirmed. Benke, J.; We Concur: Kremer, P.J., McIntyre, J.

**D037484      McBrearty v. City of Brawley et al.**

Pursuant to California Rules of Court, rule 10(c), the appeal filed November 22, 2000, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rule 4(a) and 5(a)).

**D035121      VBCO et al. v. Kearny Electric Supply Company**

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs.

**D036869      Alford et al. v. Superior Court of San Diego County/People**

Order denying petition for rehearing and modifying opinion. (No change in judgment)

**D037499      Fremont Compensation Insurance Company v. Worker's Compensation Appeals Board and Larry Hamilton**

The petition is denied.

**D037999      People v. Superior Court of San Diego County/Tina C.**

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

June 1, 2001

**D036457       Rosenthal v. O'Leary**

The order of the superior court denying O'Leary's request for attorney fees is reversed. The matter is remanded with directions that the superior court enter a new order granting O'Leary's motion for attorney fees and costs in the amount of \$8,370.50. McIntyre, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

**D038008       Greenamyre v. Superior Court of San Diego County/Hess**

The petition is denied.

**D036827       Morris v. Paul Revere Life Insurance Company**

The court approves the stipulation of the parties that, in light of the California Supreme Court's decision in *Galanty v. The Paul Revere Life Ins. Co.* (2000) 23 Cal. 4th 368, the judgment of the trial court dated April 14, 1998, and entered in favor of the respondent Paul Revere Life Insurance Company in this case, must be reversed. Accordingly, the judgment is reversed, and this matter is remanded to the superior court for further proceedings. The parties shall bear their own costs on appeal.